

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

JERRY CASPER, JR.,)	
)	
Plaintiff,)	
)	
v.)	NO.
)	
SCIENCE APPLICATIONS)	
INTERNATIONAL CORPORATION,)	
d/b/a SAIC, Inc.,)	
)	
Defendants.)	

PLAINTIFF'S ORIGINAL COMPLAINT

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now JERRY CASPER, JR., hereinafter referred to as Plaintiff, complaining of
SCIENCE APPLICATIONS INTERNATIONAL CORPORATION, d/b/a SAIC, Inc.
hereinafter sometimes referred to as Defendant SAIC, and for cause of action would
respectfully show this Court as follows:

I.

Plaintiff is at all times a resident and citizen of Texarkana, Texas. Defendant SAIC
is a Delaware corporation with its principal office at SAIC Headquarters, 10260 Campus Point
Drive, San Diego, CA 92121. SAIC may be served with process by serving its registered agent
The Corporation Trust Company at Corporation Trust Center, 1209 Orange Street,
Wilmington DE 19801.

II.

This Honorable Court has jurisdiction of this cause of action because of diversity of citizenship herein above pointed out, and as more clearly set out below under 28 U.S.C. 1332 and because of a federal question under 28 U.S.C. 1331. The amount in controversy in this cause exceeds the sum of \$75,000.00 exclusive of costs and interest.

III.

Plaintiff would show that on or about January 13, 2010 while he was working for his employer in a warehouse at or near the 402nd Army Field Support Brigade in Cam Arifjan, Kuwait, he was essentially run down or caused to fall by an employee or agent of the Defendant S.A.I.C. who was operating a forklift in a reckless manner. Plaintiff was severely injured in the accident due to the employee's negligence and suffered serious and permanent injuries as hereafter set forth.

IV.

That the aforesaid accident resulted from the negligent acts, omissions and conduct of the Defendants S.A.I.C. in each of the following particulars:

1. Failed to keep a proper lookout;
2. Failed to stop his vehicle;
3. Failed to exercise due care by causing an accident;
4. Failed to yield to a pedestrian;
5. Failed to timely apply the brakes of his vehicle;
6. Failed to control his vehicle;
7. Failed to properly stack or load and unload his cargo;

8. Failed to turn his vehicle to the left or right to avoid a collision;
9. Drove over the Plaintiff;
10. Pushed trash over the Plaintiff causing him to fall; and
11. Drove Plaintiff into trash heap; or drove a trash heap into Plaintiff.

V.

That each and all of the aforesaid acts, omissions and conduct, either individually or collectively, of each Defendant constitute negligence in the failure to use ordinary care; and each and all of said negligent acts and omissions were a direct and proximate cause of the injuries and resulting damages to Plaintiff, as herein alleged, which damages followed as a direct and proximate result of said negligent acts and omissions as herein pleaded. That, as a direct and proximate result of the accident above described, Plaintiff sustained serious bodily injuries for which Defendants are jointly and severally liable.

VI.

Prior to the collision in question, the Plaintiff was a happy able-bodied male enjoying a left expectancy as reflected in the standard mortality tables for a person of his age. As a result of the Defendants' actions, the Plaintiff has suffered the following described injuries;

1. He sustained a severe head and headaches injury;
2. He sustained traumatic brain injury, concussion, and post concussion disorder;
3. He sustained a severe back and neck injury;
4. He suffered multiple trauma and abrasions;
5. He has suffered past physical and mental pain and anguish;

6. He has suffered a permanent and total disability, impairment and scarring;
7. He has severe flashbacks, loss of sleep, severe anger control problems and memory loss;
8. His capacity to enjoy life for the remainder of his life has been and will be severely impaired;
9. He suffers from post traumatic stress syndrome;
10. He lost vision in his right eye, and peripheral vision;
11. He lost hearing in his right ear; and
12. He suffered a loss of balance and falls frequently.

By reason of the foregoing, Plaintiff has been damaged in an amount not to exceed \$5,000,000.00.

VII.

Prior to the occasion in question, Plaintiff was a happy person and a valuable employee. He was able to perform his work adequately and he was successful. As a result of the above injuries, he has a serious physical and mental injury and he is totally and permanently disabled. Plaintiff has a future loss of wage earning capacity in the amount of \$1,000,000.00 and has lost past wages in the amount of \$100,000.00.

VIII.

Plaintiff would show that he has incurred reasonable and necessary medical expenses in the amount of \$400,000.00 as a result of the Defendants' negligence. Further, Plaintiff will, in reasonable medical probability, incur medical expenses in the future in the amount of

\$500,000.00 as a result of Defendants' negligence. Plaintiff petitions for these expenses.

IX.

Plaintiff requests trial by jury.

X.

More than six months have passed since the injuries to JERRY CASPER, JR.

Plaintiff petitions for pre-judgment and post-judgment interest at the highest legal rate.

PRAYER

WHEREFORE, premises considered, Plaintiff prays that Defendants be cited to appear and answer herein and that upon a final hearing hereof, the Plaintiff have a judgment against the Defendants for a sum in excess of Seven Million Dollars for pre-judgment and post-judgment interest at the legal rate, for court costs, and for such other and further relief, both general and special, at law and in equity, to which Plaintiff may show himself justly entitled.

Respectfully submitted,

/s/ Walter L. Boyaki

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